

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 09-CR-3078 JB

JEREMIAH WRIGHT,

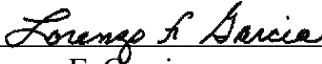
Defendant.

ORDER DENYING EMERGENCY MOTION

THIS MATTER is before the Court on Defendant Jeremiah Wright' Emergency Motion for Sandoval County Detention Center to Transport Defendant to a Dental Facility to be Evaluated and Treated for a Broken Tooth [Doc. 198].

Defendant's custodian is responsible for providing all reasonable and necessary medical care and treatment for an individual in the government's custody. DeShaney v. Winnebago County Dept. Of Soc. Servs., 489 U.S. 189, 199-200 (1989) Thus, Defendant should present his request for medical services to the appropriate officer at the detention facility, and the medical officer of the detention facility will make a determination as to the reasonableness and necessity of the requested care. Estelle v. Gamble, 429 U.S. 97, 104 (1976). It is inappropriate for the Court to make those kinds of medical determinations.

IT IS THEREFORE ORDERED that Jeremiah Wright's Emergency Motion is DENIED.



Lorenzo F. Garcia
United States Magistrate Judge